

The 29th December, 1978/1st January, 1979

No. 11(112)-3Lab-78/11369 —In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Dhanda Engineering Pvt. Ltd., Industrial Area, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Complaint No. 5 of 1977 under section 33-A of the
Industrial Disputes Act, 1947

between

SHRI SATINDRA SINGH WORKMAN AND THE MANAGEMENT OF M/S DHANDA
ENGINEERING PVT. LTD., INDUSTRIAL AREA, FARIDABAD.

Present:

Shri Sagar Ram Gupta, for the workman.

Shri R. C. Sharma, for the management.

ORDER

The workman moved a complaint under section 33-A alleging violation of provisions of section 33 by the management, notice whereof was sent to the respondent management. The management appeared and filed their reply. The complainant workman also filed rejoinder. On the pleadings of the parties the following issues were framed on the 24th June, 1977:—

1. Whether the management has contravened the provisions of section 33 of the I.D. Act
If so, to what effect?
2. Whether the termination of services of the workman by the management is justified and
in order?
3. If issue No. 2 is not proved in favour of the management, to what relief the workman
is entitled?

The case was set for the evidence of the workman. The workman examined himself as WW-1, one Shri Mukand Lal as WW-2 and closed his case. Then the case was fixed for the evidence of the management who examined Shri V.N. Yadav their personnel officer as MW-1 and closed their case. Then the case was fixed for arguments on issue No. 1 which was decided in favour of the workman and the case was fixed for the evidence of the management, on other issues. The management examined Shri Som Chand Gupta Labour-cum-Conciliation Officer as MW-2 and Shri S.L. Avasthy the Enquiry Officer as MW-3 and closed their case. Then the case was fixed for the evidence of the workman. It was at this stage that a settlement was arrived at between the parties according to which the workman received a sum of Rs. 5000/- only vide a bank draft and the management filed a settlement which the representative for the workman admitted. Although the parties prayed that award be given in terms of the settlement Ex. MW-1. I have gone through the settlement Ex. MW-1. It is just and fair. I give my award in terms of the settlement. The complainant workman withdrew his complaint and gave up his right to reinstatement or re-employment. The complainant shall be treated as retrenched and the management shall pay a sum of Rs. 5,000/- only to the complainant in full and final settlement of all his claims up to the date of the settlement including service compensation, notice pay, Gratuity, bonus, wages, earned leave and ex-gratia payment which the workman accepted in full and final settlement. The management paid to the workman the above said sum of Rs. 5,000/- only by bank draft. I, therefore, give my award that there is no dispute between the parties. The workman has received a sum of Rs. 5,000/- from the management in full and final settlement of all his dues and claims. The complainant shall have no right to reinstatement or re-employment by the management. The complainant has withdrawn his complaint. I, therefore, dismiss this complaint as withdrawn. No order as to costs.

Dated the 11th December, 1978.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endorsement No. 1214, dated the 14th December, 1978.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

M. KUTTAPPAN, Secy.

LABOUR AND EMPLOYMENT DEPARTMENT

The 29th December, 1978

No. 19(178)-78-5Lab.—In exercise of the powers conferred by section 87 read with section 91-A of the Employees State Insurance Act, 1948 (Central Act 34 of 1948), the Governor of Haryana hereby exempts the undermentioned factories and establishments engaged in the manufacturing processes in the State of Haryana from the operation of the said Act with effect from the 1st July, 1978 to the 30th June, 1979, namely :—

1. Redrying manufactured leaf tobacco
2. Rice milling
3. Salt manufacture
4. Oil mills, subject to the condition that process of oil milling is subsidiary to any other manufacturing processes which is seasonal and so long as the number of employees engaged in oil milling is less than fifty.
5. Ice manufacture
6. Wool pressing either with or without cotton pressing and ginning.

M. KUTTAPPAN, Secy.

हरियाणा सरकार

राजस्व विभाग

युद्ध जागीर

दिनांक 6 जनवरी, 1979

क्रमांक 1893-ज(1)-78/697.—श्री राम जी लाल, पुत्र श्री हीरा लाल, गांव गनियांर, तहसील नारनाल, जिला महेन्द्रगढ़ की दिनांक 2 दिसम्बर, 1976 को हुई मृत्यु के परिणामस्वरूप हरियाणा के राज्यपाल, पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया और उसमें आज तक संशोधन किया गया है) की धारा 4 एवं 2 (ए) (1ए) तथा 3 (1ए) के अधीन प्रदान की गई शक्तियों का प्रयोग करते हुए सहर्ष आदेश देते हैं कि श्री रामजी लाल की मुलिंग 150 रुपये वार्षिक की जागीर जो उसे हरियाणा सरकार की अधिसूचना क्रमांक 5050/र(111)-70/24872, दिनांक 12 अक्तूबर, 1970 तथा अधिसूचना क्रमांक 5041-आर-111-70/29505 दिनांक 8 दिसम्बर, 1970 द्वारा मंजूर की गई थी, अब उस की विधवा श्रीमती दाखली के नाम खरीक 19 77 स 150 रुपये वार्षिक की दर से सनद में दी गई शर्तों के अन्तर्गत प्रदान की जाती है।

क्रमांक 1910-ज(1)-78/703.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) की धारा 2 (ए) (1ए) तथा 3 (1ए) के अनुसार सौंपे गये अधिकारों का प्रयोग करते हुए हरियाणा के राज्यपाल श्रीमती सीता देवी, विधवा श्री हरि सिंह, गांव साढोरा, तहसील नारायणगढ़, जिला अम्बाला को रबी 1969 से रबी 1970 तक 100 रुपये वार्षिक तथा खरीक 1970 से 150 रुपये वार्षिक कीमत वाली युद्ध जागीर सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं।

क्रमांक 1911-ज(1)-78/707.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) की धारा 2 (ए) (1ए) तथा 3 (1ए) के अनुसार सौंपे गये अधिकारों का प्रयोग करते हुए हरियाणा के राज्यपाल श्री सुन्दर सिंह, पुत्र श्री प्रेम सिंह, गांव तेपला, तहसील ब जिला अम्बाला की रबी 1974 से 150 रुपये वार्षिक कीमत वाली युद्ध जागीर सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं।